

Response Under 37 C.F.R. §1.116 - Expedited Examining Procedure

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Serial No.: 10/676,324

Confirmation No.: 6481

Filed: September 30, 2003

For: PRODUCTION OF HYDROGEN FROM ALCOHOLS

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### Remarks

The Office Action mailed July 21, 2006 has been received and reviewed. No claims having been added, amended, or canceled herein, the pending claims are claims 1-24, 26-33, 35-40, and 42-50. Reconsideration and withdrawal of the rejections are respectfully requested.

### Rejections under 35 U.S.C. §103

The Examiner rejected under 35 U.S.C. §103(a) claims 1-7, 13-21, 26-30, 35-37, 42-45, and 50 as being unpatentable over Maruko (CA 2323728) in view of Krummenacher et al. ("Catalytic Partial Oxidation of Higher Hydrocarbon at Millisecond Contact Times: Decane, Hexadecane, and Diesel Fuel"); claims 8-12, 22-24, 31-33, 38-40, and 46-49 as being unpatentable over Maruko in view of Krummenacher et al. as applied to the claims above and further in view of Anzai et al. (2003/0060364 A1); claims 1-24, 26-33, 35-40, and 42-50 as being unpatentable over Anzai et al. in view of Krummenacher et al. and Hu et al. (U.S. Patent No. 5,597,771); and claims 1-24, 26-33, 35-40, and 42-50 as being unpatentable over Anzai et al. in view of Maruko and Krummenacher et al. The rejections are respectfully traversed.

The present application claims priority to U.S. Provisional Application Serial No. 60/415,072, filed October 1, 2002. For all of the above recited rejections, the Examiner relied on, among other documents, Krummenacher et al. ("Catalytic Partial Oxidation of Higher Hydrocarbon at Millisecond Contact Times: Decane, Hexadecane, and Diesel Fuel"). Applicants note that two documents identified as Krummenacher et al. ("Catalytic Partial Oxidation of Higher Hydrocarbon at Millisecond Contact Times: Decane, Hexadecane, and Diesel Fuel") were listed on a 1449 form submitted with an Information Disclosure Statement filed January 14, 2004 by Applicants. While it is not clear on the record as to which Krummenacher et al. document the Examiner is referring, both documents were available or published in 2003. Thus, because Krummenacher et al. published after the priority date of the present application, Krummenacher is not available as art under 35 U.S.C. §102 and/or §103 against the present application, and the above-recited rejections under 35 U.S.C. §103 are moot.

Reconsideration and withdrawal of the rejections under 35 U.S.C. §103 are respectfully requested.

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Summary

It is respectfully submitted that all the pending claims are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives at the telephone number listed below if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted

By

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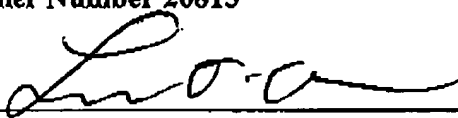
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Customer Number 26813

September 6, 2006  
Date

LDA/skd

By:   
Loren D. Albin  
Reg. No. 37,763  
Direct Dial (612) 305-1225CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6th day of September, 2006, at 4:00 pm (Central Time).

By:   
Name: Sue Dombroske